



NEWS

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SUMMARY OF CASES ACCEPTED DURING WEEK OF OCTOBER 16, 2000

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#00-125 People v. Arevalo, S090491. (E024506.) Unpublished opinion.

Petitions for review after the Court of Appeal affirmed judgments of conviction of criminal offenses. The court ordered briefing deferred pending decision in People v. Jones, S072071 (#99-159), which concerns the meaning of the term "single occasion" in Penal Code section 667.61, subdivision (g).

#00-126 People v. Lee, S090527. (A084117.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in People v. Garcia, S081934 (#99-180), which presents the issue of whether knowledge of the duty to register is an element of the crime of failure to register as a sex offender.

#00-127 McKown v. Wal-Mart Stores, Inc., S091097. (E025572; 82 Cal.App.4th 562.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. The court ordered briefing deferred pending decision in Camargo v. Tjaarda Dairy, S088632 (#00-93), which concerns whether a cause of action for negligent hiring may be brought against the hirer of an independent contractor by an employee of the independent contractor who was injured in the course of his employment.

(over)

#00-128 People v. Mooc, S090666. (G023714; 82 Cal.App.4th 636.) Petition for review after the Court of Appeal reversed a judgment of conviction of a criminal offense. This case concerns whether, when a trial court has ordered discovery of material from a police officer's personnel records for the court's in camera review under Evidence Code section 1043 et seq.(see Pitchess v. Superior Court (1974) 11 Cal.3d 531), the court must be furnished the complete personnel file of the officer involved and, if so, whether a resulting conviction should be reversed when the entire file has not been furnished.

#00-129 Naegele v. R.J. Reynolds Tobacco Co., S090420. (A084367; 81 Cal.App.4th 503, mod. 81 Cal.App.4th 1204f.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case concerns whether the 1997 amendment to Civil Code section 1714.45, removing the immunity from products liability actions previously accorded tobacco manufacturers, applies retroactively.

#00-130 Raney v. Department of Developmental Services, S091641. (A085907.) Unpublished opinion. Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. The court ordered briefing deferred pending decision in Richards v. CH2M Hill, Inc., S087484 (#00-80), which concerns the extent to which the continuing violation doctrine permits an employee to recover for a pattern of discriminatory conduct that occurred over a long period of time and that commenced outside the limitation period of the Fair Employment and Housing Act

#00-131 Utility Cost Management v. Indian Wells Valley Water Dist., S091117. (F030932; 82 Cal.App.4th 231.) Petition for review after the Court of Appeal reversed the judgment in an action for refund of fees. This case concerns whether the 120-day statute of limitations set forth in Government Code section 66022 applies to an action for a refund of excessive capacity charges pursuant to Government Code sections 54999.3 and 54999.4.

DISPOSITIONS

The following cases were dismissed and remanded to the Court of Appeal:

#98-100 People v. Palumbo, S070875.

#99-152 Bellardine v. AppleOne Employment Services, S080681.

#99-175 Monarrez v. Haralambos Beverage Company, S082242.

#00-06 People v. Umfrid, S083367.

#00-28 Ramirez v. Circuit City Stores, Inc., S085000.

#00-66 People v. Brandt, S087352.

The following cases were transferred to the Court of Appeal for reconsideration in light of Armendariz v. Foundation PsychCare Services, Inc., 24 Cal.4th 283:

#99-153 Maciejewski v. Alpha Systems Lab, Inc., S081796.

#99-154 Pichly v. Nortech Waste, S081487.

#99-191 Kalustian v. Foundation Health, S083232.

The following cases were transferred to the Court of Appeal for reconsideration in light of People v. Mendoza, 23 Cal.4th 896:

#99-134 People v. Journigan, S080157.

#99-194 People v. Rivera, S076559.

#99-196 People v. Brantley, S083184.

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